

**PUBLIC HEARING
PROPOSED SPECIAL USE PERMIT
COVINGTON ESTATES
NEW WINDSOR TOWN HALL
MARCH 2, 2011 - 7:00 P.M.**

BOARD MEMBERS PRESENT: Supervisor Green, Councilwoman Mullarkey, Councilwoman Weyant, Councilwoman Biasotti, Councilman Lundstrom

OTHER OFFICIALS PRESENT: Comptroller Finnegan, Town Attorney Blythe, Police Chief Biasotti, Highway Superintendent Fayon

SALUTE TO FLAG

Supervisor Green called to order a public hearing regarding a proposed Special Use Permit for Covington Estates and the Town Clerk presented proof of publication as required by law.

Supervisor Green said this hearing is being held for a planned unit development located on Route 300. There is no change in the site plan or the use of the property, the change here is simply going from a condo site plan to a townhouse project with zero lot lines which will be an advantage to the Town because it changes the tax base.

Hearing no one wishing to speak, Supervisor Green entertained a motion to close the Public Hearing.

MOTION – CLOSE PUBLIC HEARING

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor close the Public Hearing in the matter of a Special Use Permit for a Planned Unit Development located at Route 300 in the Town of New Windsor and commonly referred to as Covington Estates at 7:03 P.M.

Roll Call: All Ayes

Motion Carried: 5-0

MOTION – AUTHORIZE ISSUANCE OF A SPECIAL USE PERMIT

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopts the following:

WHEREAS, an application was made to the Town Board of the Town of New Windsor for a special use permit by Covington Estates (the "applicant") for a special use permit for a Planned Unit Development, pursuant to Town of New Windsor Zoning Law §300-31, et seq.; and

WHEREAS, following due notice the Town Board held a public hearing on March 2, 2011 on the proposed special use permit; and

WHEREAS, the subject site consists of 22.6 acres of land, is comprised of one tax map parcel in the Town of New Windsor identified as section 65, block 2, lot 1.12 (SBL 65-2-1.12) and is located on Temple Hill Road in the Town of New Windsor, New York; and

WHEREAS, the applicant has also applied to the Planning Board for subdivision and site plan approvals; and

WHEREAS, the proposed development is subject to the Town of New Windsor Zoning Law §300-31 et seq. setting forth the requirements applicable for a Planned Unit Development; and

WHEREAS, the Planning Board declared its intent to serve as lead agency under SEQRA and as SEQRA Lead Agency for a coordinated review, on January 12, 2011 adopted a negative declaration finding that there would be no significant adverse environmental impacts associated with this action; and

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WHEREAS, New York General Municipal Law §§ 239-l, m and n require the referral of both the special use permit and site plan applications to the Orange County Planning Department ("OCPD") for its review and comment, which referral was made by letter dated October 21, 2010 and OCPD responded to on November 17, 2010 stating the proposed subdivision PUD appears to be consistent with County Comprehensive Plan and locals laws and recommending local determination; and

WHEREAS, the Town Board now wishes to make certain determinations and grant the special use permit;

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby concurs with the Planning Board's SEQRA negative declaration for this action; and
2. The Town Board finds that the applicant has met the intent and the following objectives of the Town's Planned Unit Development zoning law:
 - A. A variety of housing types and ownership capabilities shall be provided, i.e., cooperatives, individual residences, condominiums with community facilities available to potential residents or rental apartments.
 - B. Usable open space, recreational facilities and reservation for educational facilities shall be provided at the discretion of and in accordance with Planning Board requirements.
 - C. Accessory facilities may be located within the site where appropriate.
 - D. Outstanding topographical, geological and water resource features of the site shall be preserved to the maximum.
 - E. A creative and staged development of land shall be followed which allows for an orderly transition of land from vacant to occupied use.
3. The Town Board further finds that the applicant has met the requirements of Zoning Law §300-31, et seq. and hereby grants a special use permit to the applicant for a Planned Unit Development consisting of 124 units, which approval is conditioned on the applicant's compliance with the requirements of the Town of New Windsor Zoning Law §300-31, et seq. and the receipt of site plan approval from the Planning Board.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

**DEBORAH GREEN
TOWN CLERK**

/clc